

Australian Capital Territory

Gambling and Racing Control (Governing Board) Appointment 2017(No 2)

Disallowable instrument DI2017–257

made under the

Gambling and Racing Control Act 1999, s 11 (Establishment of governing board), s 12 (Governing board members)

Financial Management Act 1996, s 78 (Appointment of governing board members generally), s 79 (Appointment of chair and deputy chair)

EXPLANATORY STATEMENT

The *Gambling and Racing Control Act 1999* (the Act) establishes the ACT Gambling and Racing Commission (the Commission) that is responsible for controlling and regulating all gaming, racing and betting activities in the ACT.

Section 11 of the Act establishes a governing board for the Commission and section 12 sets out the eligibility requirements for governing board members of the Commission.

The *Financial Management Act 1996*, section 78 enables the Minister to make appointments of governing board members generally and section 79 enables the Minister to make the appointments of a chair and deputy chair.

This instrument appoints Mr Paul Baxter as a member and chair of the governing board commencing on 24 November 2017 and is effective for three years.

This instrument makes an appointment to which the *Legislation Act 2001*, division 19.3.3 applies. Accordingly, under section 229 of the *Legislation Act 2001* the instrument is a disallowable instrument.

Pursuant to section 228 of the *Legislation Act 2001*, Ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly concerning appointments to a statutory office, unless the appointments come within the exemptions permitted by section 227 of that Act. Mr Baxter is not an ACT Public Servant and this appointment was referred to the Standing Committee on Public Accounts (the Committee). The Committee has considered the appointment and has advised that it has no recommendation to make.

This instrument revokes the *Gambling and Racing Control (Governing Board) Appointment 2015 (No 2)* [DI2015-136] which appointed Mr Baxter as an ordinary member of the Board, as that [2015] instrument is no longer required, in light of the appointment made by this instrument.